

Remarks

Per the telephone interview of 11 August 2004, Applicants' counsel understands that the Examiner has found claims 1-22 and 25-35 allowable, but that the Examiner had planned to reject claims 23-24 under the judicially created doctrine of obviousness-type double patenting over certain of the claims of U.S. Patent No. 6,770,874 (the '874 patent), but that claims 23-24 would be allowable provided the double patenting rejection is overcome.

Although Applicants consider the claims defining the inventions of the instant application and the conflicting '874 patent to be patentably distinct from one another, Applicants are providing herewith a terminal disclaimer under 37 C.F.R. §1.321(c) to obviate any "obviousness type" double patenting rejection considered against claims 23-24 of the present application. Common ownership of the present application and the conflicting '874 patent is substantiated by the assignments recorded in the U.S. Patent and Trademark Office at Reel 012439, Frame 0470 and Reel 012245, Frame 0509, respectively.

There are two minor typographical errors in claim 32 that are corrected by amendment above.

In light of the foregoing, Applicants respectfully submit that claims 1-35 are in a condition for allowance, and respectfully request that the Examiner reconsider and withdraw all outstanding rejections and objections. Favorable consideration and allowance are earnestly solicited. Should there be any questions after reviewing this paper, please call Applicant's attorney at 617-854-4000.

Respectfully submitted,
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By: _____

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